



# STATE OF WISCONSIN

# Senate Journal

## Ninety–Sixth Regular Session

11:00 A.M.

TUESDAY, September 23, 2003

The Senate met.

The Senate was called to order by Senator Alan Lasee.

The roll was called and the following Senators answered to their names:

Senators Breske, Brown, Carpenter, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, George, Hansen, Harsdorf, Jauch, Kanavas, Kedzie, A. Lasee, Lassa, Lazich, Leibham, M. Meyer, Moore, Panzer, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Welch, Wirch and Zien – 33.

Absent – None.

Absent with leave – None.

The Senate stood for a moment of silent meditation.

The Senate remained standing and Senator Lassa led the Senate in the pledge of allegiance to the flag of the United States of America.

### CHIEF CLERK'S ENTRIES

The Chief Clerk makes the following entries dated **September 18, 2003** :

The committee on **Labor, Small Business Development and Consumer Affairs** reports and recommends:

#### **Assembly Bill 81**

Relating to: preparation of economic impact statements for bills and proposed administrative rules that would have a direct economic impact on the private sector.

Concurrence.

Ayes, 5 – Senators Reynolds, Kedzie, Zien, Decker and Hansen.

Noes, 0 – None.

Thomas Reynolds  
Chairperson

The committee on **Senate Organization** reports and recommends:

#### **Assembly Bill 31**

Relating to: designating Fire Prevention Week and Wisconsin Firefighters Memorial Day.

Concurrence.

Ayes, 5 – Senators Panzer, A. Lasee, Zien, Erpenbach and Hansen.

Noes, 0 – None.

#### **Senate Resolution 13**

Relating to: recognizing the existence of the Hmong culture and its value to all Wisconsinites and the right of the Hmong people to preserve their culture.

Adoption.

Ayes, 5 – Senators Panzer, A. Lasee, Zien, Erpenbach and Hansen.

Noes, 0 – None.

Mary Panzer  
Chairperson

### INTRODUCTION, FIRST READING AND REFERENCE OF PROPOSALS

Read and referred:

#### **Senate Resolution 15**

Relating to: Paul Hamm's and Morgan Hamm's exceptional performances at the U.S. Gymnastics National Championship.

By Senators Kanavas, Zien, Darling, Wirch, Lazich, Stepp and Lassa.

To committee on **Senate Organization**.

#### **Senate Resolution 16**

Relating to: the achievement of a Silver Star by Tech. Sergeant William Markham for his service to our country in Afghanistan.

By Senators Kanavas, Zien, Darling, Schultz, Roessler, Wirch, Lazich, Stepp, A. Lasee and Lassa.

To committee on **Senate Organization**.

#### **Senate Resolution 17**

Relating to: tuberous sclerosis.

By Senators Roessler, Schultz, Cowles, Lazich, Kanavas, Lassa and Breske.

To committee on **Senate Organization**.

#### **Senate Joint Resolution 43**

Relating to: Paul Hamm's and Morgan Hamm's exceptional performances at the U.S. Gymnastics National Championship.

By Senators Kanavas, Zien, Darling, Wirch, Lazich, Stepp and Lassa; cosponsored by Representatives Nischke, Gundrum, Miller, Lothian, Plouff, Ladwig, Krawczyk, Bies, Albers, Jeskewitz, Jensen, Hahn, Nass, McCormick, Vrakas and Van Roy.

To committee on **Senate Organization**.

**Senate Joint Resolution 44**

Relating to: the achievement of a Silver Star by Tech. Sergeant William Markham for his service to our country in Afghanistan.

By Senators Kanavas, Zien, Darling, Schultz, Roessler, Wirch, Lazich, Stepp, A. Lasee and Lassa; cosponsored by Representatives Vukmir, Jensen, Lothian, Plouff, Miller, M. Lehman, Ladwig, Kestell, Krawczyk, Bies, Gundrum, Jeskewitz, Musser, F. Lasee, Berceau, Hahn, Nass, McCormick, Vrakas, Van Roy and Freese.

To committee on **Senate Organization**.

**Senate Bill 255**

Relating to: licensing interpreters for the deaf or hard of hearing, granting rule-making authority, and providing a penalty.

By Senators Kedzie, Stepp and Lassa; cosponsored by Representatives Lothian, Kerkman, Nass, Owens and Hines.

To committee on **Health, Children, Families, Aging and Long Term Care**.

**Senate Bill 256**

Relating to: imposing court costs in cases involving motor vehicle seat belt violations.

By Senators Leibham, Kanavas and Roessler; cosponsored by Representatives Ott, McCormick, Coggs, Owens, Bies, Jeskewitz, Gottlieb, Seratti, Ainsworth and M. Lehman.

To committee on **Judiciary, Corrections and Privacy**.

**Senate Bill 257**

Relating to: use of the percentage standard in special cases, consideration of income disparity in determining child support, and information to be included in family action petitions.

By Senators Roessler, A. Lasee, Cowles and Lassa; cosponsored by Representatives Bies, Musser, Owens, M. Lehman, Hahn, J. Lehman, Ott, Van Roy and Taylor.

To committee on **Judiciary, Corrections and Privacy**.

By joint committee for review of Administrative Rules.

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**REPORT OF COMMITTEES**

The joint committee for **review of Administrative Rules** reports and recommends:

**Senate Bill 258**

Relating to: suspending the Department of Natural Resources rule related to limits on bridges over wild rivers.

Introduction.

Ayes, 10 – Senators Leibham, Welch, Lazich, Robson, and J. Lassa; Representatives Grothman, Seratti, Gunderson, Black and Hebl.

Noes, 0 – None.

To committee on **Environment and Natural Resources**.

**Senate Bill 259**

Relating to: objecting to the Department of Natural Resources' proposed rule regarding the feeding and baiting of deer and permitting deer baiting and feeding in certain circumstances.

Introduction.

Ayes, 6 – Senators Welch, Lazich, and J. Lassa; Representatives Grothman, Seratti, and Gunderson.

Noes, 4 – Senators Leibham and Robson; Representatives Black and Hebl.

To committee on **Environment and Natural Resources**.

Joseph Leibham  
Senate Chairperson

The committee on **Environment and Natural Resources** reports and recommends:

**Senate Bill 121**

Relating to: disposal of oil-absorbent materials.

Adoption of Senate Amendment 1.

Ayes, 5 – Senators Kedzie, Stepp, Zien, Risser and Wirch.  
Noes, 0 – None.

Passage as amended.

Ayes, 4 – Senators Kedzie, Stepp, Zien and Wirch.  
Noes, 1 – Senator Risser.

Neal Kedzie  
Chairperson

The committee on **Health, Children, Families, Aging and Long Term Care** reports and recommends:

**Assembly Bill 73**

Relating to: termination of parental rights and adoptive placement of a newborn child whose custody has been relinquished by his or her parent.

Concurrence.

Ayes, 9 – Senators Roessler, Kanavas, Brown, Welch, Schultz, Robson, Chvala, Jauch and Carpenter.  
Noes, 0 – None.

**Senate Bill 196**

Relating to: authorizing a hospice nurse to make a pronouncement of death.

Passage.

Ayes, 8 – Senators Roessler, Kanavas, Brown, Welch, Robson, Chvala, Jauch and Carpenter.  
Noes, 1 – Senator Schultz.

**Senate Bill 243**

Relating to: provision of dental and dental hygiene services to Medical Assistance recipients by a volunteer health care provider.

Passage.

Ayes, 9 – Senators Roessler, Kanavas, Brown, Welch, Schultz, Robson, Chvala, Jauch and Carpenter.  
Noes, 0 – None.

Carol Roessler  
Chairperson

The committee on **Transportation and Information Infrastructure** reports and recommends:

**Assembly Bill 388**

Relating to: designating and marking the bridge on STH 13 across the south fork of the Flambeau River in the town of Fifield in Price County as Freedoms Bridge.

Concurrence.

Ayes, 5 – Senators Leibham, Kanavas, Kedzie, Breske and M. Meyer.  
Noes, 0 – None.

Joseph Leibham  
Chairperson

**PETITIONS AND COMMUNICATIONS**

**State of Wisconsin**

September 19, 2003

The Honorable, The Senate:

Pursuant to Senate Rule 20(2)(a) and (b) I have appointed Senator Fitzgerald to the Wisconsin Housing Preservation Board.

Sincerely,

SENATOR MARY PANZER  
Senate Majority Leader

**State of Wisconsin  
Department of Administration**

August 29, 2003

The Honorable, The Legislature:

This report is transmitted as required by sec. 20.002(11)(f) of the Wisconsin Statutes, (for distribution to the appropriate standing committees under sec. 13.172(3) Stats.), and confirms that the Department of Administration has found it necessary to exercise the "temporary reallocation of balances" authority provided by this section in order to meet payment responsibilities and cover resulting negative balances during the month of July 2003.

On July 29, 2003, the **Information Technology Investment Fund** cash balance closed at its monthly low of a negative \$1.0 thousand. The negative balance continued through July 31, 2003, when the balance closed at a negative \$1.0 thousand. The negative balance was due to the difference in the timing of revenues and expenditures.

On July 1, 2003, the **General Fund** cash balance closed at a negative \$363.0 million. Negative balances persisted throughout the month, with intermittent positive balances. The General Fund closed at an intramonth low of a negative \$762.7 million on July 30, 2003. The General fund closed at a negative \$622.4 million on July 31, 2003.

The Information Technology Investment Fund and the General Fund shortfalls were not in excess of the statutory interfund borrowing limitation and did not exceed the balances of the funds available for interfund borrowing.

The distribution of interest earnings to investment pool participants is based on the average daily balance in the pool and each fund's share. Therefore, the monthly calculation by the State Controller's Office will automatically reflect the use of these temporary reallocations of balance authority, and as a result, the funds requiring the use of the authority will effectively bear the interest cost.

Sincerely,

MARC J. MAROTTA  
Secretary

Referred to the joint committee on **Finance**.

**State of Wisconsin  
Legislative Audit Bureau**

September 19, 2003

The Honorable, The Legislature:

At your request, we have completed a limited-scope review of revenues and expenditures generated by fees and surcharges on pesticides and fertilizers used in Wisconsin. In fiscal year (FY) 2001-02, the Department of Agriculture, Trade and Consumer Protection (DATCP) collected \$6.8 million in these revenues and, consistent with statutory directives, transferred \$1.3 million to the Department of Natural Resources (DNR) and \$210,300 to the University of Wisconsin (UW) System.

DATCP retained the remaining \$5.2 million to fund both the Bureau of Agrichemical Management and grants to help individuals and businesses clean up spills and discharges of pesticides and fertilizers.

From FY 1997-98 through FY 2001-02, DATCP awarded \$14.0 million through 315 cleanup grants to individuals and businesses. During the same period, DNR receive \$6.5 million in funds for its activities.

DNR could provide only limited quantifiable information on staff activities related to pesticide and fertilizer issues. We include recommendations for DNR to better demonstrate how pesticide and fertilizer fees are used by modifying its time-keeping system in order to allow it to monitor pesticide and fertilizer-related activities. We also recommend DNR and DATCP complete and implement revisions to a memorandum of understanding that would ensure the timely exchange of useful program management information on spills and site cleanups.

We appreciate the courtesy and cooperation extended to us by DATCP, DNR, and UW System during our review.

Sincerely,

JANICE MUELLER  
State Auditor

**State of Wisconsin  
Ethics Board**

September 23, 2003

To the Honorable the Senate:

The following lobbyists have been authorized to act on behalf of the organizations set opposite their names.

For more detailed information about these lobbyists and organizations and a complete list of organizations and people authorized to lobby the 2001 session of the legislature, visit the Ethics Board's web site at <http://ethics.state.wi.us>

- Bochert, Linda **ATC Management Inc.**
- Bochert, Linda **Wisconsin Energy Corporation**
- Falligant, Louis A **Wisconsin Academy of Physician Assistants**
- Faust, Richard **Wisconsin Academy of Physician Assistants**
- Giegerich, Jennifer **Wisconsin Public Interest Research Group (WISPIRG)**
- Hinz, Russ **American Cancer Society**
- Kammer, Peter **Circus World Museum**
- Kent, Paul **Wisconsin Builders Association**
- Osborne, Patrick **Council of Independent Tobacco Manufacturers of America (CITMA)**
- Westphal, Jason **State Bar of Wisconsin**

Also available from the Wisconsin Ethics Board are reports identifying the amount and value of time state agencies have spent to affect legislative action and reports of expenditures for lobbying activities filed by organizations that employ lobbyists.

Sincerely,

R. ROTH JUDD  
Director

**State of Wisconsin**

September 16, 2003

The Honorable, The Senate:

Please remove my name as cosponsor of **Senate Bill 210**.

Sincerely,

MARK MILLER

State Representative

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**ADVICE AND CONSENT OF THE SENATE**

**State of Wisconsin**

**Office of the Governor**

September 17, 2003

The Honorable, The Senate:

I am pleased to nominate and with the advice and consent of the Senate, do appoint ROMPORTL, MICHAEL, of Rhinelander, as a member of the Land Information Board, to serve for the term ending at the pleasure of the Governor.

Sincerely,

JIM DOYLE

Governor

Read and referred to committee on **Homeland Security, Veterans and Military Affairs and Government Reform.**

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Senator Panzer, with unanimous consent, asked tht the appointment of Lloyd M. Smith be referred to committee on **Senate Organization.**

Senator Roessler, with unanimous consent, asked to be added as a coauthor of **Senate Bill 246.**

Senator Robson, with unanimous consent, asked to be withdrawn as a coauthor of **Senate Bill 210.**

Senator Moore, with unanimous consent, asked to be added as a cosponsor of **Assembly Bill 98.**

Senator Moore, with unanimous consent, asked to be added as a coauthor of **Senate Resolution 13.**

Senator Darling, with unanimous consent, asked to be added as a coauthor of **Senate Bill 100.**

Senator Breske, with unanimous consent, asked to be added as a cosponsor of **Assembly Bill 40.**

Senator Breske, with unanimous consent, asked that the journal show he would like to be added as a cosponsor of **Assembly Bill 424.**

Senator Breske, with unanimous consent, asked to be added as a coauthor of **Senate Bill 214.**

Senator Lazich, with unanimous consent, asked to be added as a coauthor of **Senate Resolution 13.**

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Senator Lazich, with unanimous consent, asked that the Senate recess until 1:39 P.M.

11:10 A.M.

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**RECESS**

1:39 P.M.

The Senate reconvened.

Senator A. Lasee in the chair.

Senator Panzer, with unanimous consent asked that all appointments with the exception of Jim Holperin be taken up en masse.

ARNOLD, EVA, of Beloit, as a member of the Board on Aging and Long Term Care, to serve for the term ending May 1, 2007.

Read.

BOYLE, PATRICK, of Madison, as a member of the University of Wisconsin Hospital and Clinics Authority, to serve for the term sending July 1, 2005.

Read.

BRUCE, LINDA C., of Superior, as a member of the Wisconsin Health and Educational Facilities Authority, to serve for the term ending June 30, 2008.

Read.

CALAWAY, TONIT, of Milwaukee, as a member of the Wisconsin Health and Educational Facilities Authority, to serve for the term ending June 30, 2010.

Read.

FINDER-STONE, PATRICIA A., of De Pere, as a member of the Board on Aging and Long Term Care, to serve for the term ending May 1, 2007.

Read.

KEHL, ALLAN, of Kenosha, as a member of the Wisconsin Technical College Systems Board, to serve for the term ending May 1, 2005.

Read.

Confirmed.

LEHMAN, MICHAEL A., of Hartford, as a member of the Wisconsin Professional Baseball Park District Board, to serve for the term ending July 1, 2007.

Read.

LEVIT, WILLIAM H., of Milwaukee, as a member of the State of Wisconsin Investment Board, to serve for the term ending May 1, 2009.

Read.

LOCKHART, DR. JACK M., of La Crosse, as a member of the Medical Examining Board, to serve for the term ending July 1, 2005.

Read.

MUNRO, IAN, of Green Bay, as a member of the Medical Examining Board, to serve for the term ending July 1, 2007.

Read.

ROPSON, BLAINE J., of Milwaukee, as a member of the Board of Nursing, to serve for the term ending July 1, 2007.

Read.

SIMS, DELORIS, of Milwaukee, as a member of the State of Wisconsin Investment Board, to serve for the term ending May 1, 2009.

Read.

SMITH, BRENT, of La Crosse, as a member of the Wisconsin Technical College Systems Board, to serve for the term ending May 1, 2005.

Read.

SWEENEY, GARY, of Fox Point, as a member of the Bradley Center Sports and Entertainment Corporation, to serve for the term ending July 1, 2009.

Read.

VASQUEZ, JOSE, of Wauwatosa, as a member of the Wisconsin Technical College Systems Board, to serve for the term ending May 1, 2009.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Carpenter, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, George, Hansen, Harsdorf, Jauch, Kanavas, Kedzie, A. Lasee, Lassa, Lazich, Leibham, M. Meyer, Moore, Panzer, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Welch, Wirch and Zien – 33.

Noes – None.

Absent or not voting – None.

Confirmed.

HOLPERIN, JIM, of Eagle River, as Secretary of the Department of Tourism, to serve for the term ending at the pleasure of the Governor.

Read.

The question was: Confirmation?

The ayes and noes were required and the vote was: ayes, 33; noes, 0; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Carpenter, Chvala, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, George, Hansen, Harsdorf, Jauch, Kanavas, Kedzie, A. Lasee, Lassa, Lazich, Leibham, M. Meyer, Moore, Panzer, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Welch, Wirch and Zien – 33.

Noes – None.

Absent or not voting – None.

Confirmed.

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## REFERRALS AND RECEIPT OF COMMITTEE REPORTS CONCERNING PROPOSED ADMINISTRATIVE RULES

The joint committee for **review of Administrative Rules** reports and recommends:

### Senate Clearinghouse Rule 03–017

Relating to the regulation of baiting and feeding to control and manage chronic wasting disease.

Report objection recommended, Ayes 6, Noes 4.

Ayes, 6 – Senators Welch, Lazich and Lassa. Representatives Grothman, Seratti and Gunderson.

Noes, 4 – Senators Leibham and Robson. Representatives Black and Hebl.

Joseph Leibham  
Senate Chairperson

The committee on **Labor, Small Business Development and Consumer Affairs** reports and recommends:

### Senate Clearinghouse Rule 02–120

Relating to definitions and independence in professional practice.

No action taken.

Thomas Reynolds  
Chairperson

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## CONSIDERATION OF MOTIONS AND RESOLUTIONS

### Senate Resolution 13

Relating to: recognizing the existence of the Hmong culture and its value to all Wisconsinites and the right of the Hmong people to preserve their culture.

Read.

Senator Decker, with unanimous consent, asked to be added as a coauthor of **Senate Resolution 13**.

Senator Hansen, with unanimous consent, asked to be added as a coauthor of **Senate Resolution 13**.

Senator Erpenbach, with unanimous consent, asked to be added as a coauthor of **Senate Resolution 13**.

Senator Wirch, with unanimous consent, asked to be added as a coauthor of **Senate Resolution 13**.

Senator Risser, with unanimous consent, asked to be added as a coauthor of **Senate Resolution 13**.

The question was: Shall **Senate Resolution 13** be adopted?  
Adopted.

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## SECOND READING AND AMENDMENTS OF SENATE JOINT RESOLUTIONS AND SENATE BILLS

### Senate Bill 60

Relating to: leasing of school property.

Read a second time.

Ordered to a third reading.

Senator Panzer, with unanimous consent, asked that the bill be considered for final action at this time.

### Senate Bill 60

Read a third time and passed.

### Senate Bill 85

Relating to: appointment of members of the Board of Regents of the University of Wisconsin System.

Read a second time.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 85**?

Adopted.

Senator Moore, with unanimous consent, asked to be added as a coauthor of **Senate Bill 85**.

Senator Moore, with unanimous consent, asked to be added as a coauthor of **Senate Bill 168**.

Senator Lassa, with unanimous consent, asked to be added as a coauthor of **Senate Bill 85**.

Senator Lassa, with unanimous consent, asked to be added as a coauthor of **Senate Resolution 13**.

Senator M. Meyer, with unanimous consent, asked to be added as a coauthor of **Senate Bill 85**.

Senator Zien, with unanimous consent, asked to be added as a coauthor of **Senate Bill 85**.

Senator Zien, with unanimous consent, asked to be added as a coauthor of **Senate Bill 100**.

Ordered to a third reading.

Senator Panzer, with unanimous consent, asked that the bill be considered for final action at this time.

### Senate Bill 85

Read a third time and passed.

**Senate Bill 100**

Relating to: administrative rule making regarding small businesses, data used by administrative agencies in preparing proposed rules, increasing attorney fees, creating an Internet site for proposed rules, and creating a Small Business Regulatory Review Board.

Read a second time.

The question was: Adoption of Senate amendment 1 to **Senate Bill 100?**

Adopted.

The question was: Adoption of Senate amendment 2 to **Senate Bill 100?**

Adopted.

Senate amendment 3 to **Senate Bill 100** offered by Senator Welch.

The question was: Adoption of Senate amendment 3 to **Senate Bill 100?**

Adopted.

Ordered to a third reading.

Senator Kedzie, with unanimous consent, asked to be added as a coauthor of **Senate Bill 100**.

Senator Risser moved indefinite postponement of **Senate Bill 100**.

The question was: Shall **Senate Bill 100** be indefinitely postponed?

The ayes and noes were demanded and the vote was: ayes, 11; noes, 22; absent or not voting, 0; as follows:

Ayes – Senators Carpenter, Chvala, Decker, Erpenbach, Hansen, Jauch, M. Meyer, Moore, Risser, Robson and Wirch – 11.

Noes – Senators Breske, Brown, Cowles, Darling, Ellis, S. Fitzgerald, George, Harsdorf, Kanavas, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Panzer, Plale, Reynolds, Roessler, Schultz, Stepp, Welch and Zien – 22.

Absent or not voting – None.

Refused indefinite postponment.

Senator Panzer, with unanimous consent, asked that the bill be considered for final action at this time.

Senator A. Lasee, with unanimous consent, asked to be added as a coauthor of **Senate Bill 100**.

**Senate Bill 100**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 22; noes, 11; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Cowles, Darling, Ellis, S. Fitzgerald, George, Harsdorf, Kanavas, Kedzie, A. Lasee, Lassa, Lazich, Leibham, Panzer, Plale, Reynolds, Roessler, Schultz, Stepp, Welch and Zien – 22.

Noes – Senators Carpenter, Chvala, Decker, Erpenbach, Hansen, Jauch, M. Meyer, Moore, Risser, Robson and Wirch – 11.

Absent or not voting – None.

Passed.

**Senate Bill 168**

Relating to: enforcement of the one- and two-family dwelling code in certain cities, villages, and towns.

Read a second time.

The question was: Adoption of Senate substitute amendment 1 to **Senate Bill 168?**

Adopted.

Senator Darling, with unanimous consent, asked that **Senate Bill 168** be referred to the Joint Committee on **Finance**.

**Senate Bill 186**

Relating to: a Medical Assistance family planning demonstration project minimum age eligibility limitation change.

Read a second time.

Senator Panzer, with unanimous consent, asked that **Senate Bill 186** be referred to the committee on **Health, Children, Families, Aging and Long Term Care**.

Senator Erpenbach objected.

Senator Panzer moved that **Senate Bill 186** be referred to the committee on **Health, Children, Families, Aging and Long Term Care**.

The question was: Shall **Senate Bill 186** be referred to the committee on **Health, Children, Families, Aging and Long Term Care?**

The ayes and noes were demanded and the vote was: ayes, 29; noes, 4; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Carpenter, Cowles, Darling, Decker, Ellis, Erpenbach, S. Fitzgerald, Hansen, Harsdorf, Jauch, Kanavas, Kedzie, A. Lasee, Lazich, Leibham, Moore, Panzer, Plale, Reynolds, Risser, Robson, Roessler, Schultz, Stepp, Welch, Wirch and Zien – 29.

Noes – Senators Chvala, George, Lassa and M. Meyer – 4.

Absent or not voting – None.

Referred.

**Senate Bill 246**

Relating to: periods in which state agencies will act on certain applications, approval of certain applications, refunds of fees, and granting rule-making authority.

Read a second time.

Senator Panzer, with unanimous consent, asked that **Senate Bill 246** be placed at the foot of the calendar of September 23, 2003.

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**SECOND READING AND AMENDMENTS  
OF ASSEMBLY JOINT RESOLUTIONS AND  
ASSEMBLY BILLS**

**Assembly Bill 12**

Relating to: educational requirements for foresters employed by the Department of Natural Resources and persons authorized to designate trees for cutting in state forests.

Read a second time.

Ordered to a third reading.

Senator Zien, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 12**

Read a third time and concurred in.

**Assembly Bill 31**

Relating to: designating Fire Prevention Week and Wisconsin Firefighters Memorial Day.

Read a second time.

Ordered to a third reading.

Senator Zien, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 31**

Read a third time and concurred in.

**Assembly Bill 52**

Relating to: changing the name of a minor.

Read a second time.

Ordered to a third reading.

Senator Zien, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 52**

Read a third time and concurred in.

**Assembly Bill 98**

Relating to: creating an individual and corporate income tax exemption for interest on bonds or notes issued by the Wisconsin Housing and Economic Development Authority for purposes related to multifamily and elderly housing projects.

Read a second time.

Senator Darling, with unanimous consent, asked that **Assembly Bill 98** be referred to the Joint Committee on **Finance**.

**Assembly Bill 204**

Relating to: capital expenditures by technical college district boards for applied technology centers.

Read a second time.

Senator Panzer, with unanimous consent, asked that **Assembly Bill 204** be laid on the table.

**Assembly Bill 228**

Relating to: environmental compliance audits, environmental management systems, providing incentives for improving environmental performance, providing immunity from civil penalties for certain violations of environmental requirements, access to certain information, granting rule-making authority, and providing a penalty.

Read a second time.

Senate substitute amendment 1 to **Assembly Bill 228** offered by Senators Erpenbach and Hansen.

Senator Kedzie moved rejection of Senate substitute amendment 1 to **Assembly Bill 228**.

The question was: Rejection of Senate substitute amendment 1 to **Assembly Bill 228**?

The ayes and noes were demanded and the vote was: ayes, 17; noes, 15; absent or not voting, 1; as follows:

Ayes – Senators Brown, Cowles, Darling, S. Fitzgerald, Harsdorf, Kanavas, Kedzie, A. Lasee, Lazich, Leibham, Panzer, Reynolds, Roessler, Schultz, Stepp, Welch and Zien – 17.

Noes – Senators Breske, Carpenter, Chvala, Decker, Erpenbach, George, Hansen, Jauch, Lassa, M. Meyer, Moore, Plale, Risser, Robson and Wirch – 15.

Absent or not voting – Senator Ellis – 1.

Rejected.

Ordered to a third reading.

Senator Panzer, with unanimous consent, asked that the bill be considered for final action at this time.

Senator Darling, with unanimous consent, asked to be added as a cosponsor of **Assembly Bill 228**.

**Assembly Bill 228**

Read a third time.

The ayes and noes were required and the vote was: ayes, 20; noes, 13; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Cowles, Darling, Ellis, S. Fitzgerald, Harsdorf, Kanavas, Kedzie, A. Lasee, Lazich, Leibham, Panzer, Plale, Reynolds, Roessler, Schultz, Stepp, Welch and Zien – 20.

Noes – Senators Carpenter, Chvala, Decker, Erpenbach, George, Hansen, Jauch, Lassa, M. Meyer, Moore, Risser, Robson and Wirch – 13.

Absent or not voting – None.

Concurred in.

**Assembly Bill 252**

Relating to: housing of county prisoners from Michigan in Wisconsin county jails.

Read a second time.

Senator Breske, with unanimous consent, asked to be added as a cosponsor of **Assembly Bill 252**.

The question was: Adoption of Senate amendment 1 to **Assembly Bill 252**?

Adopted.

Ordered to a third reading.

Senator Panzer, with unanimous consent, asked that the bill be considered for final action at this time.

**Assembly Bill 252**

Read a third time and concurred in as amended.

**Senate Bill 246**

Relating to: periods in which state agencies will act on certain applications, approval of certain applications, refunds of fees, and granting rule-making authority.

Read a second time.

Senate amendment 1 to **Senate Bill 246** offered by Senator Stepp.

Senate substitute amendment 1 to **Senate Bill 246** offered by Senators Erpenbach and Hansen.

Senator Risser, with unanimous consent, asked to be withdrawn as a coauthor of **Senate Bill 246**.

Senator Darling moved rejection of Senate substitute amendment 1 to **Senate Bill 246**.

The question was: Rejection of Senate substitute amendment 1 to **Senate Bill 246**?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 15; absent or not voting, 0; as follows:

Ayes – Senators Brown, Cowles, Darling, Ellis, S. Fitzgerald, Harsdorf, Kanavas, Kedzie, A. Lasee, Lazich, Leibham, Panzer, Reynolds, Roessler, Schultz, Stepp, Welch and Zien – 18.

Noes – Senators Breske, Carpenter, Chvala, Decker, Erpenbach, George, Hansen, Jauch, Lassa, M. Meyer, Moore, Plale, Risser, Robson and Wirch – 15.

Absent or not voting – None.

Rejected.

The question was: Adoption of Senate amendment 1 to **Senate Bill 246**?

Adopted.

Ordered to a third reading.

Senator Panzer, with unanimous consent, asked that the bill be considered for final action at this time.

**Senate Bill 246**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 20; noes, 13; absent or not voting, 0; as follows:

Ayes – Senators Breske, Brown, Cowles, Darling, Ellis, S. Fitzgerald, Harsdorf, Kanavas, Kedzie, A. Lasee, Lazich, Leibham, Panzer, Plale, Reynolds, Roessler, Schultz, Stepp, Welch and Zien – 20.

Noes – Senators Carpenter, Chvala, Decker, Erpenbach, George, Hansen, Jauch, Lassa, M. Meyer, Moore, Risser, Robson and Wirch – 13.

Absent or not voting – None.

Passed.

Senator A. Lasee, with unanimous consent, asked to be added as a coauthor of **Senate Bill 246**.

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### MOTIONS MAY BE OFFERED

Senator M. Meyer, with unanimous consent, asked to be added as a coauthor of **Senate Bill 234**.

Senator M. Meyer, with unanimous consent, asked to be added as a coauthor of **Senate Bill 235**.

Senator Panzer, with unanimous consent, asked the **Senate Bill 249** be withdrawn from the select committee on **Job Creation** and referred to the joint committee on **Finance**.

Senator Welch, with unanimous consent, asked to be added as a coauthor of **Senate Bill 246**.

Senator Zien, with unanimous consent, asked to be added as a cosponsor of **Assembly Bill 31**.

Senator Robson, with unanimous consent, asked to be added as a cosponsor of **Assembly Bill 31**.

Senator Lassa, with unanimous consent, asked to be added as a cosponsor of **Assembly Bill 31**.

Senator Panzer, with unanimous consent, asked to be added as a coauthor of **Senate Bill 100**.

Senator Panzer, with unanimous consent, asked to be added as a cosponsor of **Assembly Bill 228**.

Senator Moore, with unanimous consent, asked to be added as a cosponsor of **Assembly Bill 31**.

Senator Panzer, with unanimous consent, asked that all action be immediately messaged to the Assembly.

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### ANNOUNCEMENTS, ADJOURNMENT HONORS, AND REMARKS UNDER SPECIAL PRIVILEGE

Senator Erpenbach, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Bruce Springstein's 54th birthday today.

Senator Panzer, with unanimous consent, asked that when the Senate adjourn, it do so in honor of John K. McIver who passed away recently.

Senator Stepp, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Michael Prescott Manley, born on July 21, 2003.

Senator Plale, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Amelia Elizabeth Keeton.

Senator Plale, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Jeff and Lori Valenzuela, who are expecting their first child.

Senator Darling, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Peggy Grebe who passed away.

Senator Jauch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the men and women of the Wisconsin National Guard serving over seas in Iraq.

Senator Wirch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Ron Birchell.

Senator Wirch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Charlie Berg voted outstanding coach of the year with a 45–1 record.

Senator Wirch, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Joe Meier who was honored as a life safer.

Senator Roessler, with unanimous consent, asked that when the Senate adjourn, it do so in honor of her dear friend Betty Freid who passed away recently at the age of 63. Betty was a successful small business owner who operated a renown home business, Betty Freid Properties for many years.

Senator Erpenbach, with unanimous consent, asked that when the Senate adjourn, it do so in honor of George Twigg for his years of service to the Senate.

Senator Schultz, with unanimous consent, asked that when the Senate adjourn, it do so in honor of the National Guard members serving over seas and their families for the sacrifice they have made.

Senator Kedzie, with unanimous consent, asked that when the Senate adjourn, it do so in honor of his son Sean's 13th birthday.

Senator Lassa, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Jessica Ford Kelly and Tim Kelly and their new baby Sophia Vera Kelly.

Senator Kanavas, with unanimous consent, asked that when the Senate adjourn, it do so in honor of George Kotsonis who passed away recently.

Senator Kanavas, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Paul Hamm a gymnast from Waukesha who participated in the World Gymnastic Championships and won the floor exercise competition and was first in the all around competition.

Senator Lasee, with unanimous consent, asked that when the Senate adjourn, it do so in honor of Christy Lasee for winning a blue ribbon for showing her Llama.

Senator Risser, with unanimous consent, asked that when the Senate adjourn, it do so in honor of all members of the Senate who were being hosted by Senator Risser, Nancy Risser and Lori Hayward at a reception in honor of Senators at the Risser Home.

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### ADJOURNMENT

Senator Panzer, with unanimous consent, asked that the Senate adjourn until Thursday, at 10:00 A.M..

Adjourned.

4:35 P.M.

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### LEGISLATIVE REFERENCE BUREAU CORRECTIONS

CORRECTIONS IN:

#### ASSEMBLY AMENDMENT 3, TO 2003 ASSEMBLY BILL 175

Prepared by the Legislative Reference Bureau  
(September 15, 2003)

1. Page 1, line 2: delete "after "as"" and substitute "after "Except as"".